

REMARKS

The application has been amended to place it in condition for allowance at the time of the next Official Action.

Claims 1-3, 5-9, 12, 17, 18, 20-37 and 41-58 were previously pending in the application. Claim 17 is canceled and new claims 59-61 are added. Therefore, claims 1-3, 5-9, 12, 18, 20-37 and 41-61 are presented for consideration.

Claims 1, 2, 5, 8, 9, 17, 23-26, 29, 33, 34 and 36 were rejected under 35 USC §102(b) as being anticipated by TAYLOR WO 96/34367. That rejection is respectfully traversed.

Claim 1 is amended and recites that one of the at least two superposed rows, called high or upper row, includes a plurality of detection cells extending to upstream and downstream sides of the at least one flap above a line situated at the mid-height of the frame.

Claim 1 further recites that the detection cells in at least one of the upper and middle rows, situated downstream of the flap are suitable for detecting the passage of a person or of a child from downstream to upstream of the gate and for controlling the closing of the flap in order to prevent the person from turning back.

By way of example, the gate of claim 1 has high (or upper) cells row extending to both sides of the flap 3. When considering a movement of a passenger from the entry zone ZA to the exit Zone ZB in, for example, figure 30, i.e. in direction of

arrow A, cells H7 to H12 which are cells of the high row are situated downstream of the flap 3.

In TAYLOR, when considering Figure 1, the operating flap is flap 2 when a passenger moves from the entry zone (input end 4) to the exit zone (output end 5). Alternatively, the operating flap is flap 7 when a passenger moves in the opposite direction.

When considering the first direction of the flow of passengers, TAYLOR does not disclose that cell 22 belonging to the high cells row 13-22 extends downstream of the flap 2. Cell 22 is only situated above the hinge of the flap 2 (there isn't any cell at the right of cell 22 in Figure 1).

In contrast, as recited, a plurality of cells of the upper or middle rows, situated downstream of the flap are suitable for detecting the passage of a person or of a child from downstream to upstream of the gate and for controlling the closing of the flap in order to prevent said person from turning back.

In TAYLOR, there is no cell in the upper row that is downstream of the flap, so the gate is unable to detect the passage of a person from downstream to upstream, and control the closing of the flap in order to prevent said person from turning back.

Rather, TAYLOR teaches allowing traffic in just one direction (unidirectional) or allowing access to subjects from

either direction (bi-directional) depending upon which subject is sensed by the system first (page 5, lines 14-18). The "unidirectional" mode and "bi-directional" mode provide the ability of the gate to operate in a non symmetrical way or in a symmetrical way. In either case, TAYLOR detects different situations and behaviors of passengers in a traditional way, i.e. upstream of the flap.

On the contrary, the recited gate is able, even in an unidirectional way, to detect if a passenger situated behind the flap (downstream) is turning back and prevents them from doing so.

TAYLOR, on the other hand, (page 4, lines 13-26) ensures that the flap will not close if any of the sensors are interrupted.

TAYLOR operates under the premise that a person behind the flap has necessarily already been authorized to pass the flap and therefore no longer needs to undergo further detection. TAYLOR does not disclose or suggest that cells situated downstream of the flap are suitable for detecting the passage of a person from downstream to upstream. Such detection scenario is the opposite to that disclosed in TAYLOR and thus, is not anticipated by TAYLOR.

Accordingly, the anticipation rejection is not viable. Reconsideration and withdrawal of the rejection are respectfully requested.

The dependent claims are believed patentable at least for depending from an allowable independent claim.

Claims 27, 28, 30-32 and 35 were rejected under 35 USC §103(a) as being unpatentable over TAYLOR. That rejection is respectfully traversed.

Claims 27, 28, 30-32 and 35 depend from claim 1 and further define the invention and are believed to be patentable over TAYLOR at least for depending from an allowable independent claim.

Claims 3 and 58 were rejected under 35 USC §103(a) as being unpatentable over TAYLOR in view of IMAZUKA 6,450,404. That rejection is respectfully traversed.

As to claim 3, IMAZUKA does not overcome the shortcomings of TAYLOR set forth above with respect to claim 1. Since claim 3 depends from claim 1 and further defines the invention, claim 3 is believed to be patentable at least for depending from an allowable independent claim.

In addition, claim 3 and claim 58 recite that a distance between the flap and the output of the ticket is such that when the flap is in the position preventing the passage of a person, the latter cannot access the ticket output in order to remove the ticket.

The Official Action recognizes that TAYLOR fails to disclose that the ticket outlet is positioned so that a person behind a barrier cannot remove a ticket.

IMAZUKA is offered for this feature. However, IMAZUKA does not disclose that for which it is offered. Rather, IMAZUKA shows a downstream flap 7 immediately adjacent the ticket take-out port 4. A person stopped at flap 7 would readily be able to remove a ticket from the ticket outlet. IMAZUKA has a two-gate structure preventing the person from entering until a ticket is inserted at the ticket input 3 and a second gate preventing the user from exiting until a ticket is removed from the ticket output 4.

Moreover, TAYLOR teaches away from such modification.

The system of TAYLOR is designed to operate to prevent a passenger from taking the ticket of a subsequent passenger. Thus, in TAYLOR, the ticket is presented to the passenger as he enters the passage. See page 5, lines 1-9.

If the passenger were prevented from accessing his ticket, the person in front of him could take the passengers ticket. As TAYLOR teaches away from such a scenario, it would not have been obvious to modify TAYLOR in the manner suggested.

Claims 6 and 7 were rejected under 35 USC §103(a) as being unpatentable over TAYLOR in view of MAY 3,478,467. That rejection is respectfully traversed.

MAY is only cited with respect to features of the dependent claims. MAY does not overcome the shortcomings of TAYLOR set forth above with respect to claim 1. As claims 6 and 7 depend from claim 1 and further define the invention, claims 6

and 7 are believed patentable at least for depending from an allowable independent claim.

Claims 12, 37, 41, 42 and 46-57 were rejected under 35 USC §103(a) as being unpatentable over TAYLOR in view of TETHERTON 5,333,410. That rejection is respectfully traversed.

TETHERTON does not overcome the shortcomings of TAYLOR set forth above with respect to claim 1. Claim 37 is amended along the lines of claim 1 and the analysis above regarding claim 1 is equally applicable to claim 37. The claims dependent from claims 1 and 37 are believed patentable at least for depending from an allowable independent claim.

Claim 18 was rejected under 35 USC §103(a) as being unpatentable over TAYLOR in view of KOCZNAR et al. 4,929,821 and IMAZUKA. That rejection is respectfully traversed.

KOCZNAR and IMAZUKA do not overcome the shortcomings of TAYLOR set forth above with respect to claim 1. Since claim 18 depends from claim 1 and further defines the invention, claim 18 is believed to be patentable at least for depending from an allowable independent claim.

Claim 20 was rejected under 35 USC §103(a) as being unpatentable over TAYLOR in view of SHELDON 5,010,240. That rejection is respectfully traversed.

SHELDON does not overcome the shortcomings of TAYLOR set forth above with respect to claim 1. Since claim 20 depends from claim 1 and further defines the invention, claim 20 is

believed patentable at least for depending from an allowable independent claim.

Claim 21 was rejected under 35 USC §103(a) as being unpatentable over TAYLOR in view of SHELDON and further in view of KOCZNAR et al. That rejection is respectfully traversed.

SHELDON and KOCZNAR do not overcome the shortcomings of TAYLOR set forth above with respect to claim 1. Since claim 21 depends from claim 1 and further defines the invention, claim 21 is believed patentable at least for depending from an allowable independent claim.

Claim 22 was rejected under 35 USC §103(a) as being unpatentable over TAYLOR in view of NELSON 5,105,369. That rejection is respectfully traversed.

NELSON does not overcome the shortcomings of TAYLOR set forth above with respect to claim 1. Since claim 22 depends from claim 1 and further defines the invention, claim 22 is believed patentable at least for depending from an allowable independent claim.

Claims 43-45 were rejected under 35 USC §103(a) as being unpatentable over TAYLOR in view of TETHERTON and further in view of TANABE 4,918,298. That rejection is respectfully traversed.

TETHERTON and TANABE do not overcome the shortcomings of TAYLOR set forth above with respect to claim 37. Since claims 43-45 depend from claim 37 and further define the invention,

these claims are believed patentable at least for depending from an allowable independent claim.

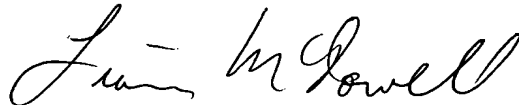
New claims 59-61 are added. Support for the new claim can be found at least in Figures 6 and 30 and original claim 17.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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